

RESOLUTION APPROVING ZONING PETITION **DOA80-47(B)**
DEVELOPMENT ORDER AMENDMENT
PETITION OF CENTEX ENGLE JOINT VENTURE

WHEREAS, the Board of County Commissioners, as the governing body of Palm Beach County, Florida, pursuant to the authority vested in Chapter 163 and Chapter 125, Florida Statutes, is authorized and empowered to consider petitions relating to zoning; and

WHEREAS, the notice and hearing requirements, as provided for in Article 5 of the Palm Beach County Land Development Code, have been satisfied; and

WHEREAS, Zoning Petition **DOA80-47(B)** was presented to the Board of County Commissioners at a public hearing conducted on January 27, 1994; and

WHEREAS, the Board of County Commissioners has considered the evidence and testimony presented by the petitioner and other interested parties, and the recommendations of the various county review agencies; and

WHEREAS, this approval is subject to Article 5, section 5.8 (Compliance with Time Limitations), of the Palm Beach County Land Development Code and other provisions requiring that development commence in a timely manner; and

WHEREAS, the Board of County Commissioners made the following findings of fact:

1. This Development Order Amendment is consistent with the Palm Beach County Comprehensive Plan.
2. This Development Order Amendment complies with relevant and appropriate portions of Article 6, Supplementary Use Standards of the Palm Beach County Land Development Code.
3. This Development Order Amendment is consistent with the requirements of the Palm Beach County Land Development Code.
4. This Development Order Amendment, with conditions as adopted, is compatible as defined in the Palm Beach county Land Development Code and generally consistent with the uses and character of the land surrounding and in the vicinity of the land proposed for development.
5. This Development Order Amendment, with conditions as adopted, complies with standards imposed on it by applicable provisions of the Palm Beach County Land Development Code for use, layout, function, and general development characteristics.
6. This Development Order Amendment meets applicable local land development regulations.
7. This Development Order Amendment, with conditions as adopted, minimizes adverse effects, including visual impact and intensity of the proposed use on adjacent lands.
8. This Development Order Amendment has a concurrency exemption and therefore complies with Art. 11 (Adequate Public Facility Standards) of the Palm Beach County Land Development Code.

9. This Development Order Amendment, with conditions as adopted, minimizes environmental impacts, including but not limited to water, air, stormwater management, wildlife, vegetation, wetlands and the natural functioning of the environment.
10. This Development Order Amendment, with conditions as adopted, will result in logical, timely and orderly development patterns.

WHEREAS, Article 5 of the Palm Beach County Land Development Code requires that the action of the Board of County Commissioners be adopted by resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that Zoning Petition **DOA80-47(B)** the petition of Centex Engle Joint Venture, for a DEVELOPMENT ORDER AMENDMENT in the Residential Transitional **(RT)/SE/PUD** Zoning District, to amend Condition 9 of Resolution **R-93-1538** and add units (250 units), previously approved on a parcel of land legally described in EXHIBIT A, attached hereto and made a part hereof, and generally located on a vicinity sketch as shown on EXHIBIT B, attached hereto and made a part hereof, was approved on January 27, 1994, subject to the conditions of approval described in EXHIBIT C, attached hereto and made a part hereof.

Commissioner Foster moved for the approval of the Resolution.

The motion was seconded by Commissioner Roberts and, upon being put to a vote, the vote was as follows:

Mary McCarty, Chair	--	Aye
Burt Aaronson	--	Aye
Ken Foster	--	Aye
Maude Ford Lee	--	Absent
Karen T. Marcus	--	Aye
Warren Newell	--	Absent
Carol A. Roberts	--	Aye

The Chair thereupon declared that the resolution was duly passed and adopted this 27th day of January, 1994.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

PALM BEACH COUNTY, FLORIDA
BY ITS BOARD OF COUNTY
COMMISSIONERS

DOROTHY H. WILKEN, CLERK

BY:


COUNTY ATTORNEY

BY:


DEPUTY CLERK

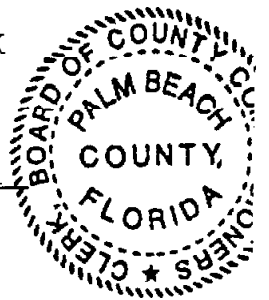


EXHIBIT A

LEGAL DESCRIPTION

DESCRIPTION:

A parcel of land consisting of certain parcels of real property lying and being situated in the Township 47 South, Range 41 East, Palm Beach County, Florida and being more particularly bound and described as follows, to-wit:

Section 22, 'less the North 104.40 feet as measured at right angles to the North line thereof.

Tracts 1, 2, and Tracts 4-12 inclusive; that portion of Tract 13, lying North of the northerly right-of-way line of the Hillsboro Canal as now laid out and in use; **Tracts 14, 15 and 16**; Tracts 25, 32 and that portion of **Tract 26** lying North of the northerly right-of-way line of the Hillsboro Canal. as now laid out and in use, said Tracts as shown on Florida Fruit Lands Company's Subdivision Number 2, as recorded in **Plat Book 1**, Page 102, Public Records of Palm Beach County, Florida, all **said** tracts lying in Section 27, Township 47 South, **Range 41 East**, Palm Beach County, Florida.

The East 130.0 feet of that portion of Section **28**, lying North of the northerly right-of-way line of the Hillsboro Canal as now laid out and in use.

Containing 987.18 acres more or less.

Excepted from the above described parcels of land are the following:

- A) The water storage and repump site located at the **Southwest** intersection of University Parkway with University Drive as recorded in the Official **Book 3616**, Page 1330.
- B) The **right-of-way** for University Parkway as recorded in the Official Record Book **3600**, Pages **1618** through 1620.
- C) The right-of-way for University Drive as recorded in the Official Record Book 3600, Pages **1624** through **1626**.
- D) The right-of-way for Palmetto Parkway as recorded in the **Official Record Book 3600**, Pages **1621** through 1623.
- E) The right-of-way for Riverside Drive as recorded in the **Official Record Book 3600**, Pages 1627 through **1629**.

PARCEL B

F) A certain parcel of land located **in Section 27**, Township 47 South, Range 41 East, being and situated in Palm Beach County, Florida, being more particularly described as follows:

Commencing at the Northeast corner of **said Section 27**, thence; South **01°19'13"** East; along the East line of said Section 27, a distance of 1970.41 feet; thence **South 89°42'12" West**, a distance of **60.01'** feet to the POINT OF BEGINNING of the following described parcel:

- 1. South **01°19'13"** East, 2606.47 feet; thence
- 2. South **89°41'05"** West, 724.29 feet; thence

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3. North $71^{\circ}58'41''$ West, 14.00 feet; thence
4. North $16^{\circ}53'50''$ East, 473.49 feet; thence
5. North $73^{\circ}06'10''$ West, 403.63 feet; thence
6. Northeasterly along the arc of a 1096 foot radius curve, concave southeasterly, an arc distance of 75.12 feet subtending a central angle of $03^{\circ}55'30''$; thence
7. Northwesterly along the arc of a 1214 foot radius curve, concave southwesterly, an arc distance of 1395.72 feet subtending a central angle of $65^{\circ}52'20''$; thence
8. North $39^{\circ}45'47''$ East, 64.93 feet; thence
9. North $09^{\circ}42'12''$ East, 1259.34 feet; to the POINT OF BEGINNING.

Containing 49.735 acres, more or less.

PARCEL c

- G) A certain parcel of tract land located in Sections 22 and 27, Township 47 South, Range 41 East, and being a portion of the property as shown on the plat of the Florida Fruitland Company, Subdivision Number 2, as according to Plat Book 1, Page 102, Public Records of Palm Beach County, Florida and being more particularly bounded and described as follows, to wit:

Commencing at the Northeast corner of said Section 27; thence South $43^{\circ}12'11''$ West 2537.62 feet to the POINT OF BEGINNING, of said point being an intersection of the South right-of-way line of Seablue Trail and the East right-of-way line of Shorewind Drive; thence with the Southwest right-of-way line of Seablue Trail 1743.35 feet along the arc of a curved line having a radius of 1134.00 feet concave to the West through a delta angle of $88^{\circ}05'00''$ with a long chord bearing of South $24^{\circ}33'08''$ East; thence 49.03 feet along the arc of a curved line having a radius of 1176.00 feet concave to the East through a delta angle of $02^{\circ}25'41''$ with a long chord bearing of South $18^{\circ}16'33''$ West; thence leaving the West right-of-way line of Seablue Trail North $72^{\circ}56'19''$ West 20.00 feet; thence South $89^{\circ}41'17''$ West 1422.12 feet; thence South $01^{\circ}16'10''$ East 46.01 feet to the North line of the Hillsboro Canal; thence North $71^{\circ}58'41''$ West 31.79 feet; thence leaving the North line of said Canal North $01^{\circ}16'10''$ West 032.26 feet to a point in the South line of Shorewind Drive; thence 1131.09 feet along a curved line having a radius of 1327.00 feet concave to the North through a delta angle of $48^{\circ}50'13''$ with a long chord bearing of North $51^{\circ}21'44''$ East to the POINT OF BEGINNING.

Containing 42.82 acres. LOTS 97 & 98

- II) A certain parcel of land located in Section 27, Township 47 South, Range 41 East and lying within a tract of land as shown by the plat of the Florida Fruitland Company, Subdivision Number 2, as recorded in Plat Book 1, Page 182, Public Records of Palm Beach County, Florida, all lands being and situated in Palm Beach County, Florida, and being more particularly bounded and described as follows, to wit:

Commencing at the Northeast corner of said Section 27; (bearings cited herein are in a meridian assuming North $01^{\circ}19'13''$ West along the East line of said Section 27) thence; South $76^{\circ}28'43''$ West 1815.50 feet; thence, 292.61 feet along the arc of a curve line having a radius of 930 feet concave South through a delta angle of $10^{\circ}01'37''$ with a long chord bearing ok South $08^{\circ}28'58''$ East; thence, South $10^{\circ}31'51''$ West 60.0 feet to the POINT OF BEGINNING: THENCE South $10^{\circ}31'51''$ West 100.0 Feet; thence 57.01 feet along the arc of a curved line having a radius of 770 feet concave South through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of North $81^{\circ}35'26''$ West; thence, 57.01 Feet along the arc of a curve line having a radius of 770 feet concave South through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of North $85^{\circ}49'59''$ West; thence North $02^{\circ}02'46''$ East 100 feet; thence, 64.42 feet along the arc of a curve line having a radius of 870 feet concave South through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of South $85^{\circ}49'59''$ East; thence 64.42 feet along the arc of a curved line, concave to the South with a radius of 870 feet through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of South $81^{\circ}35'26''$ West to the POINT OF BEGINNING.
Containing 0.28 acres.

TOGETHER WITH:

"PARCEL "B" (Original Legal Description)

A certain parcel of land located in Section 27, Township 47 South, Range 41 East, being and situated in Palm Beach county, Florida., being more particularly described as follows:

Commencing at the Northeast corner of said Section 27, thence; South $01^{\circ}19'13''$ East, along the East line of said Section 27, a distance of 1970.41 feet; thence South $89^{\circ}42'12''$ West, a distance of 60.01 Feet to the POINT OF BEGINNING of the following described parcel:

1. South $01^{\circ}19'13''$ East, 2006.47 feet; thence
2. South $89^{\circ}41'05''$ West, 724.29 feet; thence
3. North $71^{\circ}58'41''$ West, 14.00 Feet; thence
4. North $16^{\circ}53'50''$ East, 473.49 feet; thence
5. North $73^{\circ}06'10''$ West, 483.63 Feet; thence
6. Northeasterly along the arc of a 1096 foot radius curve, concave southeasterly, an arc distance of 75.12 feet subtending a central angle of $03^{\circ}55'38''$; thence
7. Northwesterly along the arc of a 1214 foot radius curve, concave southwesterly, an arc distance of 1395.72 feet subtending a central angle of $65^{\circ}52'20''$; thence
8. North $39^{\circ}45'47''$ East, 64.93 feet; thence
9. North $89^{\circ}42'12''$ East, 1259.34 feet, to the POINT OF BEGINNING.
Containing 49.735 acres, more or less.

AND PARCEL "C" (Original Legal Description)

A certain parcel of tract land located in Sections 22 and 27, Township 47 South, Range 41 East, and being a portion of the property as shown on the plat of the Florida Fruitland Company, Subdivision Number 2, as according to Plat Book 1, Page 102, Public Records of Palm Beach County, Florida and being more particularly bounded and described as follows, to wit:

Commencing at the Northeast corner of said Section 27; thence South $43^{\circ}12'11''$ West 2537.62 feet to the POINT OF BEGINNING, of said point being an intersection of the South right-of-way line of Seablue Trail and the East right-of-way line of Shorewind Drive; thence with the Southwest right-of-way line of Seablue Trail 1743.35 feet along the arc of a curved line having a radius of 1134.00 feet concave to the West through a delta angle of $88^{\circ}05'00''$ with a long chord bearing of South $24^{\circ}33'08''$ East; thence 49.83 feet along the arc of a curved line having a radius of 1176.00 feet concave to the East through a delta angle of $02^{\circ}25'41''$ with a long chord bearing of South $18^{\circ}16'33''$ West; thence leaving the West right-of-way line of Seablue Trail North $72^{\circ}56'19''$ West 20.00 feet; thence South $89^{\circ}41'17''$ West 1422.12 feet; thence South $01^{\circ}16'10''$ East 46.01 feet to the North line of the Hillsboro Canal; thence North $71^{\circ}58'41''$ West 31.79 feet; thence leaving the North line of said Canal North $01^{\circ}16'10''$ West 832.26 feet to a point in the South line of Shorewind Drive; thence 1131.09 feet along a curved line having a radius of 1327.00 feet concave to the North through a delta angle of $40^{\circ}50'13''$ with a long chord bearing of North $51^{\circ}21'44''$ East to the POINT OF BEGINNING.
Containing 42.82 acres.

AND LOTS 97 & 98 - (Original Legal Description)

A certain parcel of land located in Section 27, Township 47 south, Range 41 East and lying within a tract of land as shown by the plat of the Florida Fruitland Company, Subdivision Number 2, as recorded in Plat Book 1, Page 102, Public Records of Palm Beach County, Florida, all lands being and situated in Palm Beach County, Florida, and being more particularly bounded and described as follows, to Wit:

Commencing at the Northeast corner of said Section 27; (bearings sited herein are in a meridian assuming North $01^{\circ}19'13''$ West along the East line of said Section. 271 thence, South $76^{\circ}28'43''$ West 1815.50 feet; thence, 292.61 feet along the arc of a curve line having a radius of 930 feet concave South through a delta angle of $18^{\circ}01'37''$ with a long chord bearing of South $88^{\circ}28'58''$ East; thence, South $10^{\circ}31'51''$ West 60.0 feet to the POINT OF BEGINNING; THENCE South $10^{\circ}31'51''$ West 100.0 feet; thence 57.01 feet along the arc of a curved line having a radius of 770 feet concave South through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of North $81^{\circ}35'26''$ West; thence, 57.01 feet along the arc of a curve line having a radius of 770 feet concave South through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of North $85^{\circ}49'59''$ West; thence, North $02^{\circ}02'46''$ East 100 feet; thence 64.42 feet along the arc of a curve line having a radius of -0.70 feet concave South through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of South $85^{\circ}49'59''$ East; thence 64.42 Feet along the arc of a curved line, concave to the South with a radius of 870 feet through a delta angle of $04^{\circ}14'32''$ with a long chord bearing of South $81^{\circ}35'26''$ West to the POINT OF BEGINNING.
Containing 0.28 acres.

LESS AND EXCEPTING THE FOLLOWING PROPERTY:

PARCEL "B"

A certain parcel of land located in **Section 27**, Township 47 South, Range 41 East, and being situated in **Palm Beach County, Florida**, and being **more particulary** bounded and described as follows, to wit:

Commencing at the Northeast corner of said Section 27, (bearings cited herein are in the meridian assuminy North 01 degrees 19' **13"** West along the East line of said Section 27) thence South 01 degrees 19' **13"** East along the East line of said **Section 27** a distance of **1,978.41** feet; thence South **89** degrees.42' **12"** West a distance **60.01** feet to the Point of **Beginning**; thence South '01 degrees **19' 13"** East **1,993.38** feet; thence South **89** degrees **41' 05"** West **737.35** feet; thence North **00** degrees **18' 55"** West **487.00** feet; thence North **73** degrees **06' 10"** West **336.95** feet to a point in the East right-of-way line of **Sea Blue Trail** (a proposed roadway); thence **75:12** feet along the arc of 'a curved line having a radius of **1096.00** feet, concave to the East, thru a delta angle of **03** degrees **55' 30"** with a long chord bearing of North **17** degrees **31' 33"** East; thence **1,399.86** feet along the arc of a curved line having a radius of **1214.00** feet, concave to the West, thru a delta angle of **66** degrees **04' 04"**, with a long chord bearing of North **13** degrees **32' 40"** west; thence North **43** degrees **25' 14"** East **64.79** feet; thence North **89** degrees **42' 12"** East **1,259.34** feet to the Point of **Beginning**.

Containing **43.715** acres.

PARCEL "C"

A certain parcel or tract of land **located in Section 27**, Township 47 South, Range 41 East, and being a portion of the property as shown on the Plat of the Florida Fruit Lands **Company's**, Subdivision **Number 2**, according to the **Plat Book 1, page 102**, Public Records of **Palm Beach County, Florida** and being more particularly bounded and described as follows, to wit:

Commencing at the Northeast corner of said Section 27; (bearings cited herein are in the meridian assuming North 01 degrees 19' **13"** West along the East line of said Section 27); thence South **43** degrees **11' 13"** West **2546.00** feet to the Point of **Beginning**, said point being an intersection of the South right-of-way line of **Sea Blue Trail** and the East right-of-way line of **Shorewind Drive**; thence with the Southwest right-of-way line of **Sea Blue Trail** **1747.10** feet along the arc of a curved line, **having** a radius of **1134.00** feet, concave to the West, through a delta angle of **88** degrees **16' 37"** with a long chord bearing of South **24** degrees **38' 59"** East; thence **42.39** feet along the arc of a curved line, having a radius of **1176.00** feet, concave to the East, through a delta angle of **-02** degrees **03' 54"**, with a long chord bearing of South **10** degrees **27' 23"** West; thence leaving the West right-of-way line of **Sea Blue Trail**, North **72** degrees **34' 32"** West **30.56** feet; thence South **89** degrees **41' 17"** West **1422.12** feet; thence South 01 degrees **16' 10"** East **46.01** feet to the North line of the **Hillsboro Canal**; thence North.71 degrees **58' 41"** West **31.79** feet; thence **leaving** the North line of said Canal, North **01** degrees **16' 10"** West **032.24** feet to a point in the South line of **Shorewind Drive**; thence **1123.65** feet along a curved line having a radius of **1327.00** feet, -concave to the North, through a delta angle of **48** degrees **30' 57"**, with a long chord bearing of North **51** degrees **31' 26"** East; to the Point of **Beginning**.

Containing **39.43** acres.

A certain parcel of land located in **Section 27**, Township 47 South, **Range 41 East** and lying within a **tract of land** as shown by the **Plat of the Florida Fruit Lands Company's** Subdivision Number 2, as recorded in **Plat Book 1**, page 102, Public Records of **Palm Beach County, Florida**, all lands being situated in **Palm Beach County, Florida**, and being more particularly bounded and described as follows, to wit:

Commencing at the **Northeast corner** of said **Section 27**; (bearing sited herein are in the meridian assuming **North 01 degrees 19' 13" West** along the **East line** of said **Section 27**); thence **South 76 degrees 31' 43" West 1,706.34 feet**; thence **249.02 feet** along the arc of a curved line having a radius of **930 feet** concave **South** through a **delta angle** of **15 degrees 20' 31"** with a long chord bearing of **South 05 degrees 30' 34" East**; thence **South 12 degrees 09' 41" West 60.0 feet** to the Point of Beginning; thence **South 12 degrees 09' 41" West 100.00 feet**; thence **57.01 feet** along the arc of a curved line having a radius of **770 feet** concave **South** through a **delta angle** of **4 degrees 14' 32"** with a long chord bearing **North 79 degrees 57' 35" West**; thence, **57.01 feet** along the arc of a curved line having a radius of **770 feet** concave **South** through a **delta angle** of **4 degrees 14' 32"** with a long chord bearing of **North 04 degrees 12' 00" West**; thence **North 03 degrees 40' 36" East 100 feet**; thence **64.42 feet** along the arc of a curved line having a radius of **870 feet** concave **South** through a **delta angle** of **04 degrees 14' 32"** with a long chord bearing of **South 04 degrees 12' 00" East**; thence **64.42 feet** along the arc of a curved line, concave to the **South** with a radius of **870 feet** through a **delta angle** of **04 degrees 14' 32"** with a long chord bearing of **South 79 degrees 57' 35" East** to the Point of Beginning. **Containing 0.28 acres.**

LESS: Lots 1 through 136, inclusive, DOCA WINDS-PARCEL "A", according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for **Palm Beach County, Florida**, recorded in **Plat Book 56**, pages **84** through **86**, inclusive.

LESS: Lots 1 through 45, inclusive, DOCA WINDS-PARCEL "N", according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for **Palm Beach County, Florida**, recorded in **Plat Book 55**, pages **6** through **8**, inclusive.

LESS: Lots 1 through 124, inclusive, DOCA WINDS-PARCEL "F", according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in and for **Palm Beach County, Florida**, recorded in **Plat Book 58**, pages **165** through **168**, inclusive.

LESS: All of the Plat of DOCA WINDS-PARCEL "D", according to the Plat thereof on file in the office of the Clerk of the Circuit Court in and for **Palm Beach County, Florida**, recorded in **Plat Book 60**, pages **60** through **64**, inclusive.

EXHIBIT B

VICINITY SKETCH

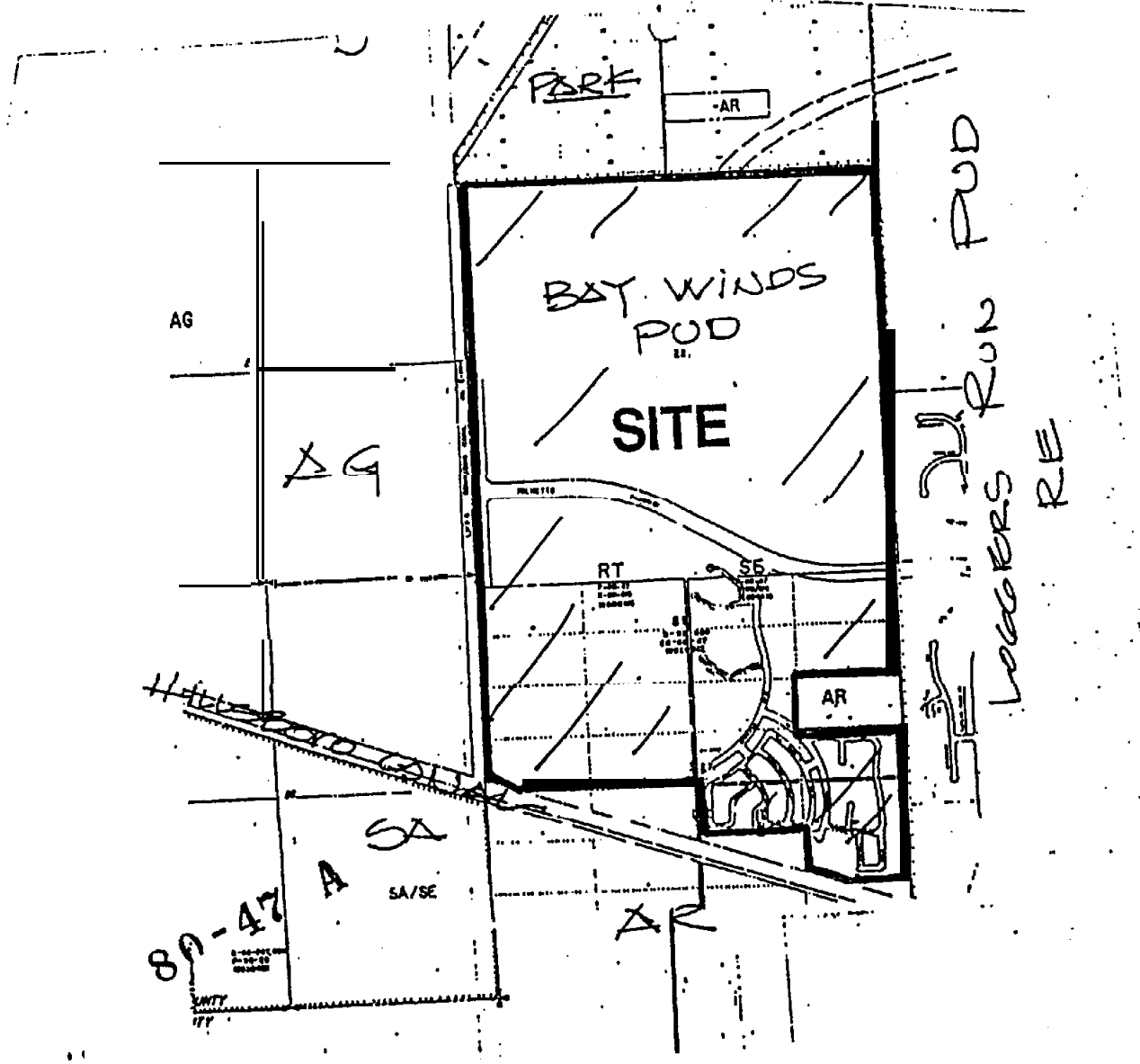


EXHIBIT C

CONDITIONS OF APPROVAL

A. GENERAL

1. Condition Number 1 of R-93-1538 which currently states:
 - a. The property owner shall convey from the property subject of this petition adequate right-of-way for all Thoroughfare Plan roadways adjacent to or through the property which is the subject of this petition in accordance with the adopted Thoroughfare Right of Way Protection Map, including expanded intersections at all at - grade Thoroughfare Plan roadway intersections, plus safe corners.
 - b. All right-of-way conveyances shall occur prior to the recording of the next plat and in no case later than July 1, 1992.
 - c. Developer shall provide Palm Beach County with sufficient documentation to ensure that the property is free of all encumbrances and encroachments.

Is hereby amended to state:

- a. The property owner shall convey from the property which is the subject of this petition, adequate right-of-way for all Thoroughfare Plan roadways adjacent to or through the property, in accordance with the adopted Thoroughfare Right of Way Identification Map, including expanded intersections at all at - grade Thoroughfare Plan roadway intersections, plus safe corners.
 - b. All right-of-way conveyances shall occur prior to October 1, 1994.
 - c. Developer shall provide Palm Beach County with sufficient documentation to ensure that the property is free of all encumbrances and encroachments.
2. Condition Number 2 of R-93-1538 which currently states:

Prior to July 1, 1992 the property owner shall convey or verify conveyance to Palm Beach county Roadway Production Division by road right-of-way warranty deed for Riverside Drive 60 feet along the projects east property line free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the county Engineer.

Is hereby amended to state:

Prior to October 1, 1994 the property owner shall convey or verify conveyance to Palm Beach County Roadway Production Division by road right-of-way warranty deed for Riverside Drive 60 feet along the projects east property line free of all encumbrances and encroachments. Developer shall provide Palm Beach County with sufficient documentation acceptable to the Right of Way Acquisition Section to ensure that the property is free of all encumbrances and encroachments. Right-of-way conveyances shall also include "Safe Sight Corners" where appropriate at intersections as determined by the County Engineer.

3. Condition Number 3 of R-93-1538 which currently states:

The property owner shall construct at the intersection of Glades Road/University Drive and Riverside Drive:

- a. left turn lane, south approach
- b. right turn lane, west approach

Is hereby amended to state:

The property owner shall construct at the intersection of Glades Road/University Drive and Riverside Drive:

- a. left turn lane, south approach
- b. right turn lane, west approach
- c. left turn lane east approach

4. **The property owner shall construct at the intersection of Glades Road/University Drive and Palmetto Park Road:**

- a. left turn lane, north approach
- b. right turn lane, south approach
- c. right turn lane, east approach
- a. left turn lane, east approach

(Previously Condition No. 4 of Resolution No. R-93-1538)

5. **Petitioner shall construct at the intersection of Palmetto Park Road and Riverside Drive:**

- a. right and left turn lanes, north approach
- b. left turn lane, west approach

(Previously Condition No. 5 of Resolution No. R-93-1538)

6. Condition No. 6 of R-93-1538 which currently states:

Petitioner shall construct at the intersection of Glades Road/University Drive and the main loop road:

- a. left turn lane, south approach
- b. right turn lane, south approach
- c. left turn lane, east approach

Is hereby amended to state:

Petitioner shall construct at the intersection of Glades Road/University Drive and the projects entrance road onto Glades Road:

- a. left turn lane, south approach
- b. right turn lane, south approach
- c. left turn lane, east approach

7. Condition No. 7 of R-93-1538 which currently states:

Petitioner shall construct at the intersection of Palmetto Park Road and the westerly loop road:

- a. right and left turn lanes, north approach
- b. right and left turn lanes, south approach
- c. right and left turn lanes, east approach

Is hereby amended to state:

Petitioner shall construct at the intersection of Palmetto Park Road and Shore Winds Drive West:

- a. right and left turn lanes, north approach
- b. right and left turn lanes, south approach
- c. right and left turn lanes, east approach
- d. left turn lane west approach

8. Condition No. 8 of R-93-1538 which currently states:

Petitioner shall **construct** at the intersection of Palmetto Park Road and the easterly loop road:

- a. right and left turn lanes, north approach
- b. right and left turn lanes, south approach
- c. right and left turn lanes, east approach
- d. right and left turn lanes, west approach

Is hereby amended to state:

Petitioner shall construct at the intersection of Palmetto Park Road and Shore Winds Drive East:

- a. right and left turn lane, south approach
- b. left turn lane, east approach.

9. Condition No. 9 of Zoning Petition 80-47(A), which currently states:

- a. Petitioner shall prepare construction plans for Palmetto Park Road as a four lane median divided section, **plus** the appropriate turn lanes as determined by the County Engineer, from its present paved terminus to the western P.U.D. boundary (**Future** University Drive). The current Thoroughfare Plan typical section shall be used, except equivalent acceptable shellrock may be substituted as base material, in lieu **of** limerock.

- 1) Surety in the form and amount acceptable to the County Engineer shall be posted for the plan preparation prior to December 31, 1993 or concurrent with the filing of the **plat** for Parcel **"G"** whichever shall first occur.

- b. Petitioner shall fund the County's construction of the above stated section of Palmetto Park Road, and associated turn lanes. Petitioner may provide shellrock from the development site for use as base material, if such shellrock is of a quality which is satisfactory, as determined by the county Engineer.

- 1) Said funding shall be provided concurrently with the filing of the plat for Parcel **"G"**, however no case later than July 1, 1993.

- 2) Surety in the form and amount acceptable to the County Engineer shall be posted for this construction prior to July 1, 1992 or concurrent with the filing of the plat **for** Parcel "**G**" whichever shall first **occur**.
- c. It is the intent that the above construction be accomplished by the County using developer funding concurrently with the development of the plat **for** Parcel "**G**".
- 1) Parcel "**G**" plat shall be recorded no later than July 1, 1993.
 - 2) Parcel "**E**" Plat shall be recorded no later than July 1, 1994.

It is the intent that the platting dates for Parcels "**G**" and "**E**" may be exchanged, however, all time frames stated above for Parcel "**G**" shall be applied to Parcel "**E**" if it is platted first.

- d. Parcel "**J**" will be permitted to be recorded in as many as three (3) phases, subject to proper platting and Site Plan Review.
- e. The first phase platted in Parcel "**J**" shall require the property owner to prepare construction plans for Glades Road as a two lane section, plus the appropriate turn lanes as determined by the County Engineer, from its present paved terminus in Logger's Run, P.U.D. to a point **200'** west of the entrance to Parcel "**J**", as shown on the approved Master Plan. The current Thoroughfare Plan typical section shall be used for the preparation of these plans.
- 1) The Surety for the construction plans shall be posted prior to December 31, 1993 or concurrent with the filing of the plat **for** Parcel "**J**" whichever shall first occur.
- f. The first phase platted in parcel "**J**" shall require the property owner to fund the County's construction of the above stated section of Glades Road, and associated turn lanes.
- 1) Said funding shall be provided concurrently with the filing of the first plat for Parcel "**J**", and in no case later than July **1**, 1994. Acceptable surety in the form and amount shall be posted with the Office of the County Engineer.
 - 2) The Surety for the construction shall be posted prior to July 1, 1993 or concurrent with the filing **of** the plat for Parcel "**J**" whichever shall first occur.

It is the intent that the above construction be accomplished by the County using developer funding concurrently with the development of the first plat for Parcel "**J**".

- g. The *second* phase platted in Parcel "J" shall require the property owner to prepare construction **plans** for University Drive (Glades Road Extension) as a two lane section, including appropriate turn lanes as determined by the County Engineer, from a point **200'** west of the entrance to Parcel "J" through the intersection of Palmetto Park Road. The current Thoroughfare Plan typical section shall be *used for* the preparation of these plans.
- 1) Surety for these construction plans shall be posted prior to December 31, 1993 or concurrent with *the* filing of the second plat **for** Parcel "J".
- h. The second phase platted in parcel "J" shall require the property owner to fund the County's construction **of** the above stated section **of** University, and associated turn lanes.
- 1) Said funding shall be provided concurrently with the filing of the *second* plat for Parcel "J", and in no case later than July 1, 1995.
 - 2) Acceptable Surety in the form and amount shall be posted with the Office of **County** Engineer. Surety **for** this construction shall be posted prior to July 1, 1995 or concurrent with the filing of the second plat **for** Parcel "J" whichever shall first occur.
- i. It is the intent that the above construction be accomplished by the County using developer funding concurrently with the development of the second plat for Parcel "J".
- j. Should the first plat in Parcel "J" represent 50% or **more** of its total units, then the developer shall comply with all conditions set forth above **for** Parcel "J", except that the time frames **for** plan and roadway construction funding for the first plat in Parcel "J" shall apply.
- k. The final phase platted in Parcel "J" shall *require* the following:
- 1) Prior to July 1, 1996, or prior to the filing **of** the last plat, whichever shall first occur, the petitioner shall submit to Palm Beach County approved and permitted construction plans for Riverside Drive, as a two lane roadway, to current Thoroughfare Plan requirements, with appropriate turn lanes on both this roadway, and on Glades and Palmetto Park Roads, as required by the County Engineer.
 - 2) Petitioner shall construct the improvements to Riverside Drive as set forth in the above referenced plans concurrently with the filing of this last plat, and in no case shall the improvements be completed later than July 1, 1997.

Is hereby amended to state:

- a. Petitioner shall prepare construction plans for Palmetto Park Road as a four lane median divided section, plus the appropriate turn lanes as determined by the County Engineer, from its present paved terminus to the western P.U.D. boundary (Future University Drive). The current Thoroughfare Plan typical section shall be used, except equivalent acceptable shellrock may be substituted as base material, in lieu of limerock. These construction plans shall be completed and approved by the County Engineer prior to October 31, 1994.
 - 1) Surety in the form and amount acceptable to the County Engineer shall be posted for the plan preparation prior to December 31, 1993 or concurrent with the filing of the plat for Parcel "G" whichever shall first occur.
- b. Petitioner shall construct the above stated section of Palmetto Park Road, and associated turn lanes. Petitioner **may** provide shellrock from the development site for use as base material, if such shellrock is of a quality which is satisfactory, as determined by the County Engineer.
 - 1) Construction shall be completed prior to July 1, 1995.
 - 2) Surety in the form and amount acceptable to the County Engineer shall be posted for this construction prior to July 1, 1994.
- c. Petitioner shall prepare construction plans for Glades Road as a two lane section, plus the appropriate turn lanes as determined by the County Engineer, from its present paved terminus in Loggers Run PUD to a point 200 feet west of the entrance to Parcel "R" as shown on the current Master Plan. The current Thoroughfare Plan typical section shall be used, except equivalent shellrock acceptable to the County Engineer **may** be substituted as base material, in lieu of limerock. Construction plans shall be completed and approved by the Office of the County Engineer prior to October 31, 1995.
 - 1) Surety in the form and amount acceptable to the County Engineer shall be posted for the plan preparation prior to October 31, 1994.
- d. Petitioner shall construct the above stated section of Glades Road, and associated turn lanes. Petitioner **may** provide shellrock from the development site for use as base material, if such shellrock is of a quality which is satisfactory, as determined by the County Engineer.
 - 1) Construction shall be completed prior to prior to October 1, 1996.
 - 2) Surety in the form and amount acceptable to the County Engineer shall be posted for this construction prior to July 1, 1994 or concurrent with the filing the first plat for the north half of the PUD.

- e. Prior to platting the 350th dwelling unit in the north half of the PUD or prior to July 1, 1996 whichever shall first occur the property owner shall prepare construction plans for University Drive (Glades Road Extension) as a two lane section, including appropriate turn lanes as determined by the County Engineer, from a point **200'** west of the projects entrance onto University Drive through the intersection of Palmetto Park Road. The current Thoroughfare Plan typical section shall be used for the preparation of these plans.
 - 1) Surety for these construction plans shall be posted prior to July 1, 1995.
- f. Prior to July 1, 1997 the property owner shall complete the construction of University Drive, and associated turn lanes.
 - 1) Acceptable Surety in the form and amount shall be posted with the Office of County Engineer. Surety for this construction shall be posted prior to July 1, 1996
- g. The final phase platted in the north half of the PUD shall require the following:
 - 1) Prior to July 1, 1996, or prior to the filing of the last plat, whichever shall first occur, the petitioner shall submit to Palm Beach County approved and permitted construction plans for Riverside Drive, as a two lane roadway, to current Thoroughfare Plan requirements, with appropriate turn lanes on both this roadway, and on Glades and Palmetto Park Roads, as required by the County Engineer.
 - 2) Petitioner shall construct the improvements to Riverside Drive as set forth in the above referenced plans concurrently with the filing of this last plat, and in no case shall the improvements be completed later than July 1, 1997.
- 10. The Developer shall pay a Fair Share Fee in the amount and manner required by the **"Fair** Share Contribution for Road Improvements Ordinance" as it presently exists or as it may from time to time be amended. (Previously Condition No. 10 of Resolution R-93-1538)
- 11. Condition No. **11** of Resolution R-93-1538 which currently states:

Petitioner must deed the twenty (20) acre civic site to be used for park purposes to Palm Beach County, without cost, at the time of the filing of the next plat.

Is hereby amended to state:

Petitioner must dedicate the civic site by **plat** to Palm Beach County. Petitioner must submit civic site plat to the Land Development Division of County Engineering by December 1, 1993. A warranty deed will be delivered to the County following plat recordation but shall not be later than August 1, 1994. (PREM)

12. Petitioner must dedicate one hundred thirty (130) feet from the centerline along the Hillsboro Canal to the South Florida Water Management District for right-of-way purposes. (Previously Condition No. 12 of Resolution **R-93-1538**)
13. No temporary on-site water **or** sewer service(s) will be approved **for** building construction within this project. Confirmation of utilities for this petition is based on the provision of central water and sewer service form South Palm Beach Utilities. (Previously Condition No. 13 of Resolution R-93-1538)
14. Parcel **"G"** the property owner shall construct Shorewinds Drive as 'a two-lane section from its present paved terminus to the extension of Palmetto **Park** Road, plus appropriate turn lanes, as determined by the County Engineer. The same typical section that was used on existing Shorewinds Drive may be used for this construction. (Previously Condition No. 14 **of** Resolution R-93-1538)
15. Condition No. 15 of R-93-1538 which currently states:
- Surety acceptable to the County Engineer in the amount of 110% of a certified cost estimate by the Developer's Engineer shall be posted by the petitioner concurrent with the trigger dates for plans and prior to the filing of the respective plats, to guarantee the funding **for** both the plans sand construction associated with the plats, as set forth above. (Previously Condition No. 15 of Resolution R-93-1538)
- Is hereby **deleted**. [REASON: Code Requirement]
16. The petitioner shall convey to Palm Beach County, at the time of recording the next plat, or prior to July **1**, 1994 or when requested by the County Engineer (whichever shall first occur), adequate road drainage easements through the project's internal surface water management system to provide legal positive outfall for all **runoff** for those segments of Palmetto Park Road, Glades Road, University Drive, and Riverside Drive along the property frontage, and for a maximum **400'** distance each side of the property boundaries along those roadways. Said easements shall be no less than **20'** in width. The drainage system within the project shall have sufficient retention/detention capacity to meet stormwater discharge and treatment **requirements** of the applicable **county** Water Control District and south Florida Water Management District **for** the **combined** runoff for the project and ultimate Thoroughfare Plan road sections **of** the included segment. (Previously Condition No. 16 of Resolution **R-93-1538**)
17. Condition number 17 of R-93-1538 which currently states:
- Petitioner shall include in all written solicitations, advertisements, inducements, and other methods or attempts to encourage **any** person to purchase a legal or equitable interest in property which is the subject **of** this petition (**or** amendment hereto) a disclosure statement identifying all planned roadways adjacent to or through the petition property which are included in the County's Thoroughfare Plan or Five Year **Road** Improvement Program.
- Is hereby amended to state:

Petitioner shall include in the homeowners documents and all sales contracts as well as all written sales brochures, Master Plans and related Site Plans a disclosure statement identifying Glades Road, Palmetto Park Road, University Drive, and University Parkway as a planned thoroughfare roadway adjacent to or through this property. Information which appears in written form shall appear in bold type. The Developer/Property Owner shall submit documentation of compliance with this condition on an annual **basis** to the Monitoring Section of Planning, Zoning and Building Department. The next report shall be submitted prior on or before July 1, 1994 and shall continue on an annual basis until all units within the development have been sold or the developer relinquishes control to the homeowners association whichever shall first occur. This property shall also be appropriately signed by the developer. Sign locations shall be indicated both on the Master Plan and Site Plan. (MONITORING - Engineering).

18. Condition No. 18 of R-93-1538 which currently states:

Prior to December 31, 1991, the property owner shall convey to the School Board of Palm Beach County a fifteen (15) acre school site in accordance with the agreement dated November 6, 1985 between the School Board of Palm Beach county and **Boca Winds, Inc.** Transfer of title shall be by special warranty deed based upon a **metes** and bounds legal description provided by the petitioner, free and clear **of** all liens and encumbrances. All items of development of this site shown in the November 6, 1985 agreement shall be done as a part of the platting and development of **"Parcel J"** as defined in the currently approved master plan.

Is hereby amended to state:

Prior to October 1, 1994 the property owner shall convey to the School Board of Palm Beach County a fifteen (15) acre school site boundary platted and free of all environmental concerns. Transfer of title shall be by special warranty deed upon a metes and bounds legal description provided by the petitioner, free and clear of all liens and encumbrances. All items of development of this site shown in the agreement dated November 6, 1985 between the School Board of Palm Beach County and **Boca Winds, Inc.** and any modifications or amendments thereof shall be completed within six (6) months of conveyance of title.

19. LANDSCAPE WITHIN MEDIAN

- A. Concurrent with the construction of Palmetto Park Road, the petitioner shall apply to the Palm Beach County Engineering and Public Works Department for a permit to landscape the adjacent median for Palmetto Park Road. When permitted by Palm Beach County Department of Engineering and Public Works, landscaping shall consist of a minimum of one (1) fourteen (14) foot tall native tree for each thirty (30) linear feet of the adjacent median to be planted and appropriate ground cover. Trees may be planted singly or in clusters. All landscaping and maintenance shall be subject to the standards as set forth by the Palm Beach County Engineering and Public Works Department. All landscape **material** shall be selected for the following list:

Trees:

Laurel Oak
Live Oak
Slash Pine
Sabal Palmetto

Ground cover:

Wedilia
Bahia Grass

Alternative species may be allowed subject to approval by the County Engineer. All plant material shall be installed and selected according to xeriscape principles and shall conform with the following:

- 1) All plants shall be container grown or field collected and transplanted from the project site.
 - 2) All plantings shall be done in accordance with detailed planting plans and specifications to be submitted and approved by the County Engineer concurrent with Site Plan certification. (BUILDING/ENGINEERING)
- B. All required median landscaping, including watering, shall be the perpetual maintenance obligation of the petitioner and its successors, legal heirs or assignees or duly established Homeowners's Association, and shall be installed on or before recordation of the plat for Parcel "J". (BUILDING/ENGINEER - Zoning)
- C. Declaration of Covenants and Restriction Documents shall be established or amended as required, prior to the filling of any Plat for the north half of the PUD to reflect this obligation. Maintenance shall be in accordance with the issued permits. (BUILDING/ENGINEERING - County Attorney)
20. In order to comply with the required Traffic Performance Standards no building permits for this PUD may be issued after January 1, 2000, unless an acceptable traffic report is submitted and approved by the Office of The County Engineer. (MONITORING - Engineering)
 21. At a minimum, the master plan shall indicate twenty (20) acres of on-site recreation area. (PARKS/ZONING)
 22. The petitioner shall obtain next plat approval on or before June 30, 1994. (MONITORING - Engineering)